



For Immediate Release

Attorney General files lawsuit to ensure state employee rights are protected

September 16, 2019 (Anchorage, AK) – Following requests from several state employees to stop deducting union dues from their paychecks, the Department of Administration (DOA), upon advice from the Department of Law, processed the requests and notified the union that the State would be halting deductions for these employees. Alaska State Employees Association (ASEA), representing the general government bargaining unit, objected and threatened litigation. ASEA insists that DOA could not honor these requests and that DOA's decision to do so was unlawful. In light of the dispute between ASEA and the State, and the importance of alleviating the legal uncertainty surrounding state employees' First Amendment rights, Attorney General Kevin G. Clarkson filed a lawsuit today asking the court to confirm that DOA, upon a direct request from an employee, should stop deducting dues from that employee's paycheck.

"The Supreme Court made it clear in *Janus* that public employees have the freedom to pay union dues or not," said Attorney General Clarkson. "Janus also requires that the State have clear and compelling evidence of a state employee's choice to pay union dues. If the State receives a direct request to stop paying union dues, the State must honor that request or else it would be violating the employee's First Amendment right. Because we want to make sure we are acting in compliance with the Constitution, we are asking the court to confirm the State's actions in halting dues deductions when directly requested by an employee."

Under the prior administration, DOA had sent employees back to the unions to make a request to stop union dues deductions. After re-evaluating the [Janus v. AFSCME](#) decision, Attorney General Clarkson released an [Attorney General Opinion](#) concluding that some of the State's current practices relating to collection of union dues are not in compliance with the U.S. Supreme Court's decision. Following the issuance of the Attorney General Opinion, several employees reached out to DOA requesting that the State stop deducting union dues from their paychecks. Although DOA is still addressing how to fully implement the Attorney General Opinion, DOA was faced with these requests and acted in accordance with the Opinion and additional advice from the Department of Law.

By filing this lawsuit, the State is proactively seeking clarity from the court to ensure employees' rights are fully protected.

A copy of the complaint can be found [here](#).

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